

3523. Adulteration and misbranding of granular pepsin, pepsin soluble scales, powdered pepsin, and pancreatin. U. S. v. S. E. Ullman (Royal Chemical Co.). Plea of non vult. Fine, \$50 on count 1 of information. Sentence suspended on remaining 7 counts of information. (F. & D. No. 5430. I. S. Nos. 5690-e, 5691-e, 5692-e, 5693-e.)

On April 14, 1914, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information in 8 counts against S. E. Ullman, trading as the Royal Chemical Co., Jersey City, N. J., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about November 25, 1912, from the State of New Jersey into the State of Tennessee, of quantities of granular pepsin, scale pepsin, powdered pepsin, and pancreatin which were adulterated and misbranded.

The granular pepsin was labeled: "10 lbs. Granular Pepsin Soluble 1-3000 U.S.P. Royal Chemical Co., New York City."

Examination of a sample of this product by the Bureau of Chemistry of this department showed that it was not capable of digesting more than 1,875 times its own weight of freshly coagulated and disintegrated egg albumen.

Adulteration of the product was alleged in the first count of the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, granular pepsin, and differed from the standard of strength, quality, and purity for such article as determined by the test laid down in said Pharmacopœia official at the time of investigation, in that said Pharmacopœia specifies that said article shall be capable of digesting 3,000 times its own weight in [of] freshly coagulated and disintegrated egg albumen, whereas, in truth and in fact, said article was not capable of digesting more than 1,875 times its own weight of freshly coagulated and disintegrated egg albumen. Misbranding of the product was alleged in the second count of the information for the reason that the statement "Granular Pepsin Soluble 1-3000 U.S.P.," borne on the label, was false and misleading, because it conveyed the impression that the product was pure granular pepsin, conforming to the standard prescribed in the United States Pharmacopœia, whereas, in truth and in fact, it was not granular pepsin of the standard prescribed in the United States Pharmacopœia, but was a granular pepsin of a lower standard than that specified in said Pharmacopœia.

The scale pepsin was labeled: "28 lbs. Pepsin Soluble Scales 1-3000 U.S.P. Royal Chemical Co., New York City." Examination of a sample of this product by said Bureau of Chemistry showed that it was not capable of digesting more than 1,150 times its own weight of freshly coagulated and disintegrated egg albumen.

Adulteration of the product was alleged in the third count of the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, pepsin soluble scales, and different from the standard of strength, quality and purity for such article, as determined by the test laid down in said Pharmacopœia official at the time of investigation, in that said Pharmacopœia specifies that said article shall be capable of digesting 3,000 times its own weight in [of] freshly coagulated and disintegrated egg albumen, whereas, in fact, said article was not capable of digesting more than 1,150 times its own weight of freshly coagulated and disintegrated egg albumen. Misbranding was alleged in the fourth count of the information for the reason that the statement, "Pepsin Soluble Scales 1-3000 U.S.P.," borne on the label of said article, was false and misleading because it conveyed the impression that the product was pepsin soluble scales conforming to the standard prescribed in the United States Pharmacopœia, whereas, in truth and in fact, it was not pepsin soluble scales of the standard as set forth in said Pharmacopœia but was pepsin soluble scales of a lower standard [of] strength than that prescribed in said Pharmacopœia.

The powdered pepsin was labeled: "17½ lbs. Pepsin Soluble Powdered 1-3000 U.S.P. Royal Chemical Co., New York City." Examination of a sample of this product by said Bureau of Chemistry showed that it was not capable of digesting more than 750 times its own weight of freshly coagulated and disintegrated egg albumen.

Adulteration of the product was alleged in the fifth count of the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, pepsin soluble powdered, and differed from the standard of strength, quality, and purity for such article as determined by the test laid down in said Pharmacopœia official at the time of investigation, in that said Pharmacopœia specifies that said article shall be capable of digesting 3,000 times its own weight in [of] freshly coagulated and disintegrated egg albumen, whereas, in truth and in fact, said article was not capable of digesting more than 750 times its own weight of freshly coagulated and disintegrated egg albumen. Misbranding was alleged in the sixth count of the information for the reason that the statement, "Pepsin Soluble Powdered 1-3000 U.S.P.," borne on the label, was false and misleading because it conveyed the impression that the product was soluble powdered pepsin conforming to the standard prescribed in the United States Pharmacopœia, whereas, in truth and in fact, it was not a soluble powdered pepsin conforming to said standard, but was a soluble powdered pepsin of a lower standard than that prescribed in said Pharmacopœia.

The pancreatin was labeled: "15½ lbs. Pure Pancreatine U.S.P. 1900 Absolutely Free From Fatty Matter Royal Chemical Co., New York City." Examination of a sample of this product by the said Bureau of Chemistry showed that it was not capable of converting more than two-fifths of its own weight of starch into substances soluble in water.

Adulteration of the product was alleged in the seventh count of the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, to wit, pancreatin, and differed from the standard of strength, quality, and purity for such article, as determined by the test laid down in said Pharmacopœia official at the time of investigation, in that said Pharmacopœia specifies that said article shall be capable of converting not less than 25 times its own weight of starch into substances soluble in water, whereas, in truth and in fact, said article was not capable of converting more than two-fifths of its own weight of starch into substances soluble in water. Misbranding was alleged in the eighth count of the information for the reason that the statement, "Pure Pancreatine U.S.P.," borne on the label of said article, was false and misleading because it conveyed the impression that the product was pure pancreatin, conforming to the standard prescribed in the United States Pharmacopœia, whereas, in truth and in fact, it was not pure pancreatin conforming to said standard, but pancreatin of a lower standard than that prescribed in said Pharmacopœia.

On June 9, 1914, the defendant entered a plea of non vult to the information and was fined \$50 upon the first count thereof. The court suspended sentence on the other seven counts of the information.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *January 13, 1915.*